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REPORT
OF
THE COMMISSION

APPOINTED UNDER

ACT OF CONGRESS APPROVED JUNE 1, 1872,

TO NEGOTIATE WITH THE

SHOSHONE INDIANS IN WYOMING TERRITORY.



WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1873.

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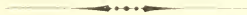
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BOARD OF INDIAN COMMISSIONERS,
Pittsburgh, October 22, 1872.

DEAR SIR: I have the honor to inclose herewith my report of negotiations with the Shoshone Indians, the articles of convention for the cession of a part of their reservation, the proceedings of the council, and correspondence connected therewith.

The serious illness of a member of my family, requiring all my attention since my return, has prevented the preparation of the report at an earlier day.

Hoping that the terms of the agreement will meet your approval,

I am, very respectfully, your obedient servant,

FELIX R. BRUNOT.

Hon. C. DELANO,
Secretary of the Interior.

REPORT OF FELIX R. BRUNOT OF NEGOTIATION WITH THE SHOSHONE INDIANS FOR THE RELINQUISHMENT OF A PORTION OF THEIR RESERVATION IN WYOMING.

BOARD OF INDIAN COMMISSIONERS.

Pittsburgh, October 18, 1872.

SIR: I have the honor to state that, in compliance with the request of Department telegram of the 10th ultimo, and in accordance with a letter of instructions from Hon. F. A. Walker, therein mentioned and subsequently received, I held a council, and entered into a convention with the Shoshone Indians of Wyoming Territory, for the relinquishment of a part of their reservation as contemplated by the act of Congress approved June 1, 1872, and make the following report:

I left Bryan Station, on the Union Pacific Railroad, on the 11th of September, accompanied by Thomas K. Cree, esq., secretary of the Board of Indian Commissioners, and arriving at South Pass City on the evening of the 12th, reached the Shoshone and Bannock agency, in Little Wind River Valley, on the 14th. The road to South Pass City crosses Green River, Big Sandy, Dry Sandy, and Pacific Springs, passing through a country of sandy or gravelly plains, destitute of water save at the streams named, chiefly covered with sage-brush, and totally worthless for either cultivation or grazing. South Pass City is in the Sweetwater mining district, on the south end of the Wind River Mountains, and about 8,500 feet above the level of the sea. Four miles farther into the mountains is Atlantic City, and one and a half miles farther is Camp Stambaugh, a two-company post just within the limits of the Shoshone reservation; and one and a half miles farther is Miners' Delight. The population of the three towns is now probably less than one hundred each. The best gold mines of the district are said to be located on the reservation, and a quartz-mill is in operation at Miners' Delight. There are also some placer mines worked in the town and vicinity. From Camp Stambaugh to the agency the road descends rapidly through a country extremely rough and mountainous, the only tillable land being in the Popo-Agie Valleys, the one fourteen, and the other twenty miles from the agency. The distance from Camp Stambaugh to the agency is fifty-four miles.

There were no Indians at the agency, but a runner had been sent out by the agent, Dr. James Irwin, immediately on the receipt of my telegram. On the 16th he returned with the information that he found the Indians encamped on Green River; that they were now on the way to the reservation, and expected to arrive on the 21st instant. The runner was immediately sent back with a message to Wash-a-kie to hasten his movements, and a note (A) to Colonel James A. Brisbin, in command of Camp Stambaugh, requesting his co-operation to facilitate their passage through the towns.

The interval until the 21st was occupied in visiting Wind River Valley, some forty miles north of the agency.

Returning on the 21st, I received a letter from Colonel Brisbin (B) informing me that the Indians were encamped near Atlantic City, and re-

questing in behalf of Wash-a-kie and the citizens that the council should be held at Camp Stambaugh. Deeming it inexpedient to comply with this request, I addressed a note (C) to Colonel Brisbin to that effect, and sent a message to Wash-a-kie, accompanied by a letter from Agent Irwin requesting him to come at once with his people to the agency.

The Indians started immediately on the receipt of the letter and message, and it afterward appeared that the delay had been caused by the advice of citizens.

The Indians arrived on the 25th, and on the 26th a council was convened.

The Bannocks having no rights in the reservation under the treaty of 1868, and being at the time at the Fort Hall reservation, which had been set apart for them, had not been invited to the council.

Wash-a-kie, the chief, a man of superior intelligence and ability, and devoted to the interest of his people, and all the principal men of the Shoshones, were present.

The act of Congress authorizing the negotiation was read to them, and carefully reduced to simple language and explained to them.

In reply, they claimed that the land desired by the Government was good land, and of some use to them; that the land offered in exchange was worthless; and even if it were not so, that it was claimed by, and subject to incursions of the Sioux, Cheyennes, Arapahoes, and Crows; would be worthless to the Shoshones, and, for the reasons given, they declined to make the proposed exchange. Their statements in regard to the character of the land were confirmed by such information as I could get from other sources, and in view of this and the additional fact that the treaty of 1868 had already given them the right to hunt on the unoccupied lands north of their reservation, I could not fault them for their decision.

The Shoshones, although they declined to make the exchange, were willing to sell the land desired by the Government, and expressed a desire to own cattle, and further negotiation resulted in a contract for the cession of the southern part of their reservation, subject to the ratification or rejection of the Government.

The contract in writing was carefully explained, and fully understood by them, and was signed in the usual Indian manner, by a majority of the adult male members of the tribe.

The line of division named is as far north as it could properly be placed, having regard to the location of the agency and buildings. There are eight white settlers immediately about the agency, who expect to remove, and who should receive compensation for their improvements.

The Shoshone reservation was established under the peace commission treaty made at Fort Bridger, July 3, 1868. The southern boundary-line is defined as "running along the crest of the divide between the Sweetwater and Popo-Agie Rivers." The Sweetwater flows into the Platte, and the Popo-Agie flows northward to the Big Horn River.

Previous to the treaty the Sweetwater mining district had been discovered. Miners' Delight, then a prosperous town, was on the reservation, and settlers were already in the valley of the Popo-Agie. I am informed by a prominent member of the Peace Commission that it was not the intention to include any of these settlements on the reservation. The mistake arose from the inaccuracy of a map in their possession, which represented the small streams—Beaver Creek, Twin Creek, and Cottonwood—which rise in the mining district as being tributaries of the Sweetwater.

The fact of their location previous to the treaty removes from many of the settlers the stigma which should attach to those who, contrary to law, and regardless of the rights of the Indians, become trespassers upon a reservation. On the other hand, their continuance there is justly regarded by the Shoshones as an infraction of the treaty.

By far the largest portion of the Shoshone reservation is mountainous and barren. The valley of Little Wind River, in which the agency is situated, contains, in the vicinity of the agency, from six to ten sections of fertile land, susceptible of easy irrigation and cultivation. Its great defect is the total absence of wood, the supplies of which must be derived from the slopes of the mountains, at distances of from ten to twenty miles. In the valley of Big Wind River, some thirty miles further north, there is a larger body of equally desirable land on the reservation, with an abundance of timber, and it is to be regretted that the agency was not established at that point. With the exception of the Wind River Valleys, the reservation consists of inaccessible mountains, and barren hill-sides and table lands, well-named by the early trappers and hunters the "*Mauvaise Terres*." There is enough good land in the valley for all the Indians to cultivate, and for their herds.

The portion of the reservation ceded is supposed to include the mines and all the gold-bearing district. It also includes the valleys of the two Popo-Agies, Cottonwood Creek, Red Cañon, and Beaver Creek to the line. In regard to Beaver Creek I have no information, but have estimated the other valleys to contain from twenty-five to thirty sections of tillable land. The mountain-sides facing them, and some of the table lands have good grazing, but the remainder is worthless for agricultural purposes. The Popo-Agie Valleys, like Wind River, are of a low altitude, sheltered from the west by the Wind River Mountains and almost free from winter snows. This makes them of great value to the mining district, which is from 8,000 to 10,000 feet above sea-level, and is rendered almost uninhabitable by the deep snows in winter. The mining-camps had no other source of agricultural supplies nearer than one hundred miles. The area of land ceded is about 700,000 acres. In regard to the price to be paid for this large body of land, I respectfully ask your attention to the following considerations:

Acting upon my experience of the general habit of Indians, the Shoshones were offered a sum on the basis of further negotiation, and which I supposed would have to be increased to meet the demand of the Indians. When the terms first offered were promptly accepted, I did not feel at liberty to make an addition it seems eminently proper to solicit from Congress. The appropriation of an additional sum of \$10,000, to be expended in the erection of houses, for such of the Indians as are willing to make permanent settlement in them and to cultivate the soil, would be just.

The Shoshones are now exceedingly anxious to have houses to live in, and they have been under the impression that houses were promised them in the treaty of Fort Bridger. They are among the best disposed of all the uncivilized Indians, and until lately among the most neglected; and have so conducted themselves as to win the kindly feelings of all the whites who come in contact with them. They are just now, for the first time, in a position to accept the influence of a better civilization than that which has chiefly exhibited to them its vices; and there is good reason to believe that a continuance of the humane efforts now being made on the reservation for their improvement will be rewarded by success.

I respectfully submit herewith the articles of convention with the Shoshones, ceding a portion of their reservation to the United States, the proceedings of the council, and correspondence referred to in this report.

Very respectfully, your obedient servant,

FELIX R. BRUNOT,
Commissioner.

Hon. C. DELANO,
Secretary of the Interior.

A.

SHOSHONE AND BANNACK AGENCY,
September 16, 1872.

DEAR SIR: I learn from Mr. McAdams, the messenger who was sent to Wash-a-kie, that the Indians will probably reach South Pass to-morrow on their way to the agency. I understand that they usually delay a day or two in passing through the towns; and as it is important for me to get through with my interview with them as soon as possible, I would be very glad if they can be induced to come through without stopping.

I will be greatly obliged if you will take such measures as, in your judgment, seem best, to prevent any unnecessary delay in passing through the towns near your post, and to prevent the Indians from getting whisky, should there be any evil-disposed persons there inclined to supply them.

Very respectfully, your obedient servant,

FELIX R. BRUNOT,
Commissioner.

Colonel J. S. BRISBIN,
Commanding Fort Stambaugh, Wyoming Territory.

B.

HEADQUARTERS UNITED STATES FORCES,
Camp Stambaugh, Wyoming Territory, September 19, 1872.

SIR: On receipt of your communication I sent the courier at once to Wash-a-kie, who was then at South Pass, to tell him to come on to this point with as little delay as possible, and to come in and see me as soon as he arrived. The Indians, about one thousand strong, came in last evening and encamped near the parade-ground. Wash-a-kie is with them, but I have not seen him yet. Early this morning he sent over Norkok to tell me he wished I would write you, and say he prefers and desires to make the treaty with you at this point, and to ask you and Dr. Irwin to come up as soon as possible. Wash-a-kie also desires Captain Torrey, Thirteenth Infantry, commanding at Camp Brown, to be present and sit in the treaty council.

The Indians are traveling very slowly with their sick, and will not reach their agency for some ten days or more, perhaps not before the 28th or 29th of September. To avoid delay, I advise you to grant the request of Wash-a-kie, and hold your council with him and his chiefs at this

point. Even if held here, it will be on the reservation, as the line divides this post. As you perhaps know, the town of Miners' Delight is built on the reservation, and these people are exceedingly anxious to have the treaty made here, as are all the citizens who wish to witness the proceedings.

If you conclude to "pow-wow" here, let me know as soon as possible, and I will have a place prepared in the open air just across the line.

The Indians are very quiet and behaving well. Yesterday it was reported some Indians were drunk on the post reservation, and some at South Pass. I at once sent a detachment of cavalry to South Pass, and later in the day went over myself with a staff officer. We found no Indians, all having cleared out to their camp. There are some white men with the Indians who buy liquor by the bottle and give it to them. I notified these men yesterday to clear out, and as the Indians are now camped on the military reservation, if I find them about the camps I will arrest them and confine them in the guard-house.

I am informed that Wash-a-kie and his tribe are willing to treat for the Popo-Agie Valleys, and have them open to white settlers; and, from what I hear, feel confident your mission will be entirely successful.

Very respectfully, your obedient servant,

JAS. S. BRISBIN,
Commanding.

FELIX R. BRUNOT,
Indian Commissioner.

C.

SHOSHONE AND BANNOCK AGENCY,
September 21, 1872.

DEAR SIR: As I did not expect the Indians to arrive until the last of this week, I concluded to occupy the interval in visiting the upper part of the reservation, and consequently did not receive your letter of the 19th instant until my return this morning. I am greatly disappointed not to find them here on my return, and am sorry that I cannot comply with Wash-a-kie's request to meet them in council where they now are.

Although the delay is a very serious inconvenience to me personally, yet I deem the proposed council to be of so great importance, both to the Indians and to the citizens of this country, that I am willing to remain a reasonable time longer to accomplish the object of my mission. Please say to Wash-a-kie that I will wait here for him and his people, provided they start at once and use reasonable diligence in coming.

I will be very glad if your arrangements will permit you to come and attend the council. I hope you will come, and bring Mrs. Brisbin with you.

In regard to the wish of the citizens to be present at the council, it would no doubt be pleasant to have many of them; but there are others whose presence would be very undesirable, and, on the whole, it would be best that white men other than those in authority should not be here.

It will give me pleasure when we meet to explain to you the reason why I am obliged to decline meeting the Indians anywhere but at the agency.

Very respectfully, your obedient servant,

FELIX R. BRUNOT.

Colonel JAMES S. BRISBIN,
Commander, &c., &c.

COUNCIL WITH THE SHOSHONE INDIANS.

Under the provisions of an act entitled "An act to authorize the President of the United States to negotiate with the chiefs and head-men of the Shoshone and Bannock Indians, for the relinquishment of a portion of their reservation in Wyoming," a council with them was convened at the Wind River agency September 26, 1872, Hon. Felix R. Brunot, chairman of the Board of Indian Commissioners, (accompanied by Thomas K. Cree, secretary of the board,) representing the United States, and Wash-a-kie, chief the Shoshones, the sub-chiefs, head-men, and people of the Shoshones. The Bannocks were not represented, as by the provisions of the treaty Wind River reservation is set apart exclusively for the Shoshones, and Fort Hall reservation, Idaho, has been allotted to the Bannocks.

There were present, at all the sessions of the council, Hon. Felix R. Brunot, chairman, and Thomas K. Cree, secretary of the Board of Indian Commissioners; Dr. James Irwin, Indian agent; James I. Patton, teacher; Lieutenant J. B. Guthrie, United States Army; Messrs. Evans, Boyd, Williams, and other settlers, and Wash-a-kie, chief of the Shoshones, with the sub-chiefs and head-men of the tribe. The interpreters were Norkok, the regular United States interpreter, William Reese and M. McAdams, special interpreters.

In opening the council Mr. Brunot said: When we have a council in Washington, we know that the Great Spirit hears everything that is said; that God sees into our hearts and knows all that we think and all that we do. We ask Him to make us do everything right, to make our hearts right, and our tongues straight. I am going to ask the Great Spirit to guide us in this council. Mr. Brunot then led in prayer; the Indians all reverently standing.

Mr. Brunot then said: The President has sent me here to see you, and to learn all about you; to look at your reservations, and see what kind of land there is; to see if it is good for you, and to ask how you like it; to see your agent and all the people who are about you; to see with my own eyes how they are doing, that I may tell him when I go back. I want to hear everything you have to say yourselves about your own affairs. If there is anything that is not right I want you to tell me, and whatever you wish to tell I want to hear. Anything you would like the President to know about your affairs tell it to me, and Mr. Cree will write it down, and the President can see it with his own eyes, and it will be just the same as if he heard it with his own ears. He wants to know about your farms here; how many Indians live on farms; he would be very glad if I could tell him that the chief and other Indians are farming. The President and many other good friends of the Indians see how things are going all over the country. The white men are growing more numerous and many of the Indian tribes are growing smaller. The cattle of the white men are increasing, while the cattle of the Indians (buffalo and game) are growing scarcer. They know that when the buffalo are gone the Indians should have some other way to subsist themselves, and they are anxious to see the Indians getting some other way to live. If the white men had grown up without learning to farm they would belike the Indians; they would not know how to read and write. Wash-a-kie understands all these things as well as I do. Perhaps some of the others do not understand them as well; for that reason I am saying these things, although he knows them. We take the small children and send them to school; we have many school-houses so that all the children can go. They learn but little at first, but

learn more and more, and when they are grown up they know a great deal. It is too late for men who are grown up to learn. That is why the President and the Indians' friends are anxious to have a school, so that the children will begin to learn. Then when the game is gone the children will know enough to live like white men. But I did not mean to talk much about this now; I do not want to talk much this afternoon. I want to hear what Wash-a-kie and others wish to say. I want you to speak whatever is in your hearts.

WASH-A-KIE. I have nothing to say. We want you to tell us what you came here to say.

Mr. BRUNOT. I came to hear your words and to carry them to the Great Father. But there is another matter of business about the reservation that I will talk about to-morrow. Have you nothing you wish to say about the agency, the buildings, or the farms?

WASH-A-KIE. I would like to have houses here: I do not like to live in lodges; I am afraid of the Sioux. They come here and hunt for scalps in this valley. I would like to have houses. We would like to talk about the land.

Mr. BRUNOT. We will talk about the land now if you wish. The President has heard for a good while that there are miners on the reservation, and Congress has heard about it also. They heard some of these miners were here before the reservation was set apart, and that there were also some people living on the farming-land before the reservation was marked out. So they passed a law to send a man to see Wash-a-kie and the Indians, to see what arrangements could be made to settle all these troubles. They pass this law to try and settle the whole question, so that there would never be any more trouble about it. I will read the law.

Mr. Brunot then read the act of Congress, as follows:

AN ACT to authorize the President of the United States to negotiate with the chiefs and head men of the Shoshone and Bannock tribes of Indians for the relinquishment of a portion of their reservation in Wyoming Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to negotiate with the Shoshone and Bannock tribes of Indians for the relinquishment of that portion of the reservation of said tribes in Wyoming Territory which is situated south of the central dividing ridge between the Big Popo-Agie and Little Wind Rivers, and south of the forty-third parallel, and to cede to said tribes lands lying north of and adjacent to their present reservation, equal in area to any lands by them ceded; and it shall be the duty of the President to report all proceedings under this act of Congress for approval or rejection: *Provided*, This authority shall not continue beyond January first, eighteen hundred and seventy-three.

Approved June 1, 1872.

The act was reduced to simple language, translated, and carefully explained to the Indians.

TOOP-SE-PO-WOT. I did not know there were any whites here when the buffalo were here.

Mr. BRUNOT. I have been sent here to tell you about this land, and to make a bargain with you for it. It all depends on the Indians. You must do just what you think best. It is your land, and you have a right to do what you please about it. I desire that whatever is done shall be for your good, and I hope you will think about the matter very strongly in your hearts, and will not do what you will be sorry for. If you think it is best to settle all this trouble by making a bargain about this land, I want you to do it. I want you to do it from your own hearts, and not to regard what other people say. Sometimes one man advises a thing because he wants it his own way; another man for the same reason advises some other way. If you listen to different people

you will not know what to do. I think Wash-a-kie is wise, and that he sees what is best. I think he has considered the matter a great deal, and I think the other men have been thinking of it. You can see that white men have mines on the reservation. You know that you cannot eat the rocks or the gold, and that the Indians cannot dig it out; and if you can get rid of trouble by cutting it off you know that it is best to do so. Here is a letter from the President, (the Indian Department.) The following portions of the letter of the Hon. Commissioner of Indian Affairs were then read and explained to them:

In pursuance of the authority conferred by the foregoing act, it is the desire of the Department that you visit the agency of said tribes, and convene them in council at the earliest day convenient, for the purpose of carrying into effect, if possible, the changes contemplated by said act of Congress. The provisions and object of said act should be carefully explained to them, in order that they may have a clear and comprehensive understanding of the same.

MR. BRUNOT. I have read the law to you and have explained it, and I think you understand what is meant now. I am ready to hear anything you have to say about it.

To M. McAdams, interpreter: Do you think they understand the law?

M. McADAMS. I think they do, but they do not know whether they are to be paid anything for the exchange.

MR. BRUNOT. The design of the act was to make an even exchange. The Department thinks it is a fair exchange. If the Indians do not think it fair it is for them to say so.

WASH-A-KIE. In that valley (proposed to be ceded) there is plenty of grass, berries, prairie squirrel, and fish—plenty of everything of good land. I do not know what to do about it. I have two hearts about it. This land is good; that in the north is poor, and I think it belongs to the Crows. When you were at the Crows, did the Crow chief tell you to trade this land off?

MR. BRUNOT. I did not say anything to the Crows about it. It was none of their business. The land does not belong to them.

WASH-A-KIE. The Shoshones think it belongs to the Crows.

MR. BRUNOT. I will show Wash-a-kie by the map that it does not belong to the Crows.

WASH-A-KIE. That land belongs to the Crows, the Sioux, and everybody. If we went there, then the Sioux might come in and scalp us. I do not want that land. If the whites want to buy this land it is all right; but I do not want to trade it for land anywhere.

MR. BRUNOT. Do any of the other chiefs wish to say anything? I want to hear any one who has anything to say.

WASH-A-KIE. Whatever I say they all say; it is satisfactory to all of them.

MR. BRUNOT. I would like Wash-a-kie to tell them if they have anything to say, to speak.

M. McADAMS. Wash-a-kie has told them to speak if they have anything to say.

TOOP-SE-PO-WOT. We do not want that land, but we are willing to sell our land.

MR. BRUNOT explained by the map the location of the Crow, and Shoshone, and Bannock reservations, and the location of the agency.

MR. BRUNOT. I went to see the country above Bull Lake; you have much good land there; plenty of beavers and plenty of fish. That land belongs to you. I have told you what the President wants, and you have told me what you think about it. I will tell what you

have said to the President. You said you would sell the land on which Miners' Delight is situated.

WASH-A-KIE. We do not want that land up north, but we will sell this land for cattle.

Mr. BRUNOT. Do you know how much cattle you want for the land?

WISHA. We will trade our land for cattle. It would be good to milk the cows and drink the milk. I don't know how many cattle, but I think about a thousand.

Mr. BRUNOT. Suppose we were to make a bargain about cattle, what would you do with them?

WISHA. We would corral them, and milk them.

WASH-A-KIE. If we get the cattle, we would keep them here and herd them like we do our horses.

Mr. BRUNOT. If you had cattle would some of you stay here all the time and herd them?

WASH-A-KIE. Whenever we move up Wind River we would have to take them with us. We would like to have cattle. The Utes and all the other Indians have cattle; we are poor and have none.

TO-AS-HOUT. We have nothing; we are poor.

Mr. BRUNOT. If a man gambles with another and loses his things, he can't have any left. Will not the Indians gamble for their cattle, and lose them; and after a while some will have a great many and others none?

WASH-A-KIE. The Indians gamble a great deal.

Mr. BRUNOT. Would the white people get the cattle away from you, or would you take care of them and keep them?

DEGONDA. We would take the same care of them we do our horses. The whites do not beat us out of them.

WASH-A-KIE. The Sioux, Cheyennes, and Arapahoes might come in and kill them and eat them.

NORKOK. Have you seen the Sioux, the Cheyennes, and Arapahoes?

Mr. BRUNOT. Yes; some of the Sioux have made peace and kept it for two years; Red Cloud is at peace. I want all the Indians to make peace with the Shoshones, and if they do not make peace with other Indians, the President will not make peace with them.

WASH-A-KIE. Some mean Sioux are over at the Powder River Mountains. They are the ones who are coming in, making trouble around here. You can find them there at almost any time.

Mr. BRUNOT. I think the soldiers will be after those bad Indians before long. Who is the chief of those bad Sioux?

WASH-A-KIE. I do not know; but they come out here and kill both whites and Indians.

Mr. BRUNOT. Now suppose the President would agree to give you some cattle, how much land do you wish to sell for cattle?

WASH-A-KIE. We wish to sell all that you have read in the letter, to the dividing line you speak of; all on the other side of the stream.

Mr. BRUNOT. Do you wish to cut it off at Beaver Creek, or at Cottonwood Creek, or between Big Popo-Agie and Wind River?

NORKOK. They want to sell all south of the North Fork of the Big Popo-Agie.

Mr. BRUNOT. You want to sell the flat on which old Camp Brown was located?

WASH-A-KIE. That is part of what we want to sell.

Mr. BRUNOT, (to M. McAdams, interpreter.) What kind of country is that east of the mouth of the Little Popo-Agie and Wind River?

Mr. McADAMS. The main Wind River bottom is good, and there may

be a mile or two on each side of the river, but all outside of it is bad land till you get to Owl Creek. That is good for farming, but I think water is scarce.

Mr. BRUNOT. The President has only given me authority to exchange lands, but as you have said you will not agree to exchange, I will tell that to the President, and as you say you are willing to sell this land for cattle, we will try what bargains we can make. If we can agree on some exchange of your lands for cattle, I will tell it to the President, and ask him to give you cattle for the land. But I do not know what the President will do; whatever he does will be all right. But if a bargain is made between Wash-a-kie and me, I will ask the President to make that bargain good. But I do not know what he will do. I want Wash-a-kie and the chiefs to talk about it to-night, and tell me in the morning what you think about it. You will tell me how many cattle you think you ought to have for your land, and I will tell you whether I think it right or not. If we do not agree we will have to talk more about it.

M. McADAMS. I think that it would be better for you to give them an estimate, that they might consider it.

Mr. BRUNOT. It is difficult for me to make an estimate: I do not want them to make a bad bargain; I want to do what is right; I want Wash-a-kie to tell me just where the line is to which you are willing to sell.

WASH-A-KIE. If you want to buy it, there will be no trouble about the line.

Mr. BRUNOT. Suppose you give the President that land, and the President gives you five thousand dollars' worth of cattle every year for five years?

WASH-A-KIE, (after a consultation with his people.) That is satisfactory; we will take that.

Mr. BRUNOT. I want all these men to say the same thing, if they think it is right.

WASH-A-KIE, (after consulting them.) That is right; they all say the same.

Mr. BRUNOT. The reason I ask all to say it is, that your treaty says you cannot sell any land unless more than half the men of your tribe sign the paper. I want everything to be done according to the treaty. I will get a paper ready to-morrow, and I want more than half the men to come and put their names to it.

I want to say to the settlers in the valley, that it must not be taken for granted that this land is now ceded to the Government. This matter must be submitted to Congress, and does not amount to anything unless Congress agrees to it. I say this lest the report might go out that this agreement was made, and whites from the towns and other places might come and settle on it. I want it understood that it will be the duty of the agent now, as much as ever before, to enforce the laws and keep settlers off that part of the reservation.

I do not want the Indians to think that this is a bargain until it is ratified by Congress. We will put this on a paper and I will sign it, and as many of the chiefs and men as Wash-a-kie will bring will sign it. Then I will take the paper to the President and will tell him I think it is all right and I hope he will approve of it. If the President and Congress approve of it, it is all right. If they do not, you must not blame me, for I am trying to do what I think is best for you.

WASH-A-KIE. If they agree to it, it is all right.

Mr. BRUNOT. We will meet to-morrow at the same time we did to-day. Would Wash-a-kie like to say anything more? I want to make you a

present of some coffee and sugar this evening, if I can get it at the trader's. Would you like it better this evening or to-morrow morning?

WASH-A-KIE. I would like it this evening. How do you like our agent? He suits us; he gives the little ones blankets as well as the big ones.

MR. BRUNOT. I like the agent very much, and I want to talk to Wash-a-kie privately about the agent and other matters.

WASH-A-KIE. When? In the morning?

This conversation was held after the council, and is reported in another connection, and entirely confirmed Wash-a-kie's expressions of the friendly relation existing between the agent and the Indians.

DOCTOR IRWIN. I want to say to all the Indians, I came here to try and do you good, and if I cannot do you any good, I do not wish to stay here. If we all try to do right, the Great Spirit will help us and all will do well.

The council here adjourned.

SECOND DAY.

FRIDAY, *September 27, 1872.*

Council convened at 2 p. m.

MR. BRUNOT. We will now begin the council. We began the council yesterday by asking the help of the Great Spirit; we will do the same to-day.

Mr. Cree then led in prayer.

MR. BRUNOT. Yesterday we made an agreement, and I said I would put it on a paper for us to sign to-day. I have done so, and I will read the paper so that you will know what it says; and if it is all right, we will put our names to it. I will read this so that the white people can understand it, and afterward we will have it explained to the Indians.

The articles of agreement were then read. They were explained fully, section by section, the boundary being illustrated by maps, streams, and local landmarks.

MR. BRUNOT, (reading the first section.) Is this article correct, and does it cut off what you wish to sell?

WASH-A-KIE. Yes.

MR. BRUNOT. I want Wash a-kie to explain it fully to all his people.

WASH-A-KIE, (to his people after explaining the boundary.) Do you all understand it?

(To Mr. Brunot.) They all understand it and agree to it.

MR. BRUNOT. If any one has any questions he wishes to ask, I will answer them.

WASH-A-KIE. Can we move through this land after we sell it, when we want to go to Utah? I would like to have a road through it.

MR. BRUNOT. The white people in the States have no right to put down a man's fence and go through his fields, unless he tells them they can do so; but every white man has a right to go along the road. If the Indians sell this land, they have no right to take down a man's fence, but they can go along the road. Is that right?

TOOP-SE-PO-WOT. If there is any road, it is good to go along the road.

WASH-A-KIE. If the whites settle there in numbers we will be friends.

MR. BRUNOT, (to Lieutenant Guthrie, Doctor Irwin, Mr. Patton, and the white people.) Are you all satisfied that the Indians fully understand the proposed boundary? (Each answered that he thought they did.)

MR. BRUNOT. Perhaps it would be better if some of the money, in-

stead of all being spent for cattle, should be expended in building houses. If you would rather have \$5,000 go to build houses next summer, I have no objections. If you get the houses you will only get cattle four years. (A full discussion of the proposition followed.)

WASH-A-KIE. We will give \$5,000 for building houses, if the white people build them for the Indians to live in.

MR. BRUNOT. Will you have the cattle for four years, and one year in houses?

WASH-A-KIE. We would rather have the cattle for five years.

MR. BRUNOT. I want you to settle about the houses. I do not think you quite understand it. If you decide to have the houses next year you will get \$5,000 in cattle and \$5,000 in houses, and \$5,000 for three years thereafter.

WASH-A-KIE. When the first treaty was made, houses were promised for the Indians, but none have been built.

MR. BRUNOT. There is nothing in the treaty about that, and I think the Indians ought to have houses. I want to tell the Indians that Wash-a-kie did not say anything about the \$500 per year that are to be paid to him; but I thought it was right he should have it, and I put it in the agreement. I want to know (to the Indians) if you think it is right? (There was a general expression of approbation on the part of the Indians, and they replied, "We think it is all right.")

MR. BRUNOT. I will take this paper to Washington and show it to the President, and if he thinks it is right, it is a bargain. If he thinks it is not right, it does not amount to anything. You understand that this is not what the President told me to do. He told me to exchange the land; but I think it will be all right. The President will not have his chiefs together for a good while, and perhaps you will not hear about it till the leaves come again; but Doctor Irwin will tell you as soon as he knows about it. We will send word to him what the President will do. This paper is ready for us to put our names to. I will sign it first, and then Wash-a-kie and the others. We will not have time to talk more to-night; but I want to talk to all of you again. I will send you word when I want you to come and meet me.

DOCTOR IRWIN, (to Mr. Brunot.) Are you willing I should make a statement about the houses?

MR. BRUNOT. I am willing that you, as their agent, should make a statement in regard to it. (To Wash-a-kie.) Doctor Irwin wishes to make a statement about the houses, and if you wish to change the agreement I am willing you should do so.

DOCTOR IRWIN. The Shoshones have always said they wanted houses before they could settle down and go to farming.

WASH-A-KIE. I told you long ago that we wanted houses, and the treaty promised them.

DOCTOR IRWIN. I want to make houses, but I cannot unless I have money to do so; and the Great Father has not given me any money for that purpose. The treaty does not promise any.

WASH-A-KIE. Let us sign the treaty now, as it is getting late.

The treaty was then signed by Mr. Brunot and each Indian present.

THIRD DAY.

SATURDAY, *September 28, 1872.*

Preliminary to the opening of the council a number of Indians signed the treaty.

Council assembled at 3 o'clock.

Mr. BRUNOT. I am going to talk to the Great Spirit.

Mr. Brunot then led in prayer.

Mr. BRUNOT. I told you yesterday that the Great Father had seen me here to do two things: one was about the business concerning your lands; that we have finished. The other was to tell you what the Great Father wants you to do. Now, we have met to-day so that I can tell you these things, and that you may tell me what you think, so that I can take your words back to the Great Father, and he will know your hearts just as if he were here. The President, by the treaty, made a reservation for the Shoshones. In that treaty he promised to do some things, and in the same treaty the Shoshones promised to do some things. One thing the Great Father promised, the people he sent here did not do. He promised to keep white people off the reservation. It was not the Great Father's fault that they were not kept off. He sent men to do it. It is just as if Wash-a-kie were to send one of his men away off to tell his words to others, and he did not do it. If he came back and told Wash-a-kie that he had told his words, Wash-a-kie would not know any better. So it was with the men the Great Father sent. So the Indians promised to do some things in the treaty, and they did not do them. Some things you did do. You promised to keep peace with the whites, and I think you have done so. But some things you promised you did not do. This is the treaty. (Reading it.) One thing you promised is this: you agree when the agency-house and other buildings are erected, that you will make the reservation your home; that you will not live permanently anywhere else. You said you wanted the children to learn to read and write, and you wanted them to learn how white people make wheat and potatoes grow. The Indians have not yet done these things. Some things the Great Father said in the treaty he would do have not been done, and some things the Indians said they would do have not been done. When the snow melts on the mountains it is all gone; you never see the same snow again; when the leaves are gone in the fall, you never see the same leaves any more. So it is with these things that we have not done; they are all gone; they are away behind us; let us leave them there and forget about them. But we want to begin again right here, and all that is before us we can see and do. The Great Father has sent an agent here to do everything he promised in the treaty. He expects Doctor Irwin always to do what the treaty says. Now what ought the Indians to do for their part? Do you not think you ought to try and do what the Great Father wants you to? What do you say? Is not that good? (The Indians expressed their approbation.) You see the large Indian field. Dr. Irwin planted wheat and potatoes in it. He did that to show you that things would grow there, and to show you how he makes them grow. Suppose an Indian looks at that and thinks Doctor Irwin will make a larger field next year. That is a mistake. It is to show the Indians how they can do it, and to get them to plant in that field next year. You think you cannot do that; that you do not know how. Suppose a man sees a buffalo running; he folds his arms and says it goes so fast I cannot catch it, and sits down; he will starve; but suppose he says I am going to catch it, and goes after it and catches it; he has plenty to eat. So it is with that field; if you sit down and say I don't know how to work it, things in it will not grow; summer is gone and nothing is raised on it. But if you say to Doctor Irwin I will try, this year you will have some potatoes, and next year you will have more.

The Great Father wants you to try. Your hands will get a little sore at first, but soon they will get hard, and when the things grow you have them for yourself, and find them good.

I want to tell about some other Indians, the Nez Percés, Umatillas, Cayuses, Yakimas, Kliquitats, Flatheads, and some others, whom I have seen with my own eyes. At first they said it is no use to work, but they tried, and now they have many houses and fields around them, and things growing. They have cows; they do not eat the cows and calves, but they let them increase, and now they have twice as many cows as the Shoshones have ponies. The Great Father wants you to start in that road.

WASH-A-KIE. I think we can learn if the whites do it, and then show us how; the Indians can soon learn.

Mr. BRUNOT. The treaty said the Great Father will send an agent, a farmer, and others to teach you. The farmer is to teach the Indians how to farm. The blacksmith will do work that Indians cannot do, but I would like the Indians to send somebody there to learn how to do that kind of work; and so you should learn to do everything that is done here. There is a teacher here to teach the children. If you do not take your gun to the blacksmith he cannot mend it, and there would be no use in having a blacksmith. If you do not send the children to the teacher he cannot teach them. Wash-a-kie says he is going to have his boys learn, and I hope many of you will send your boys and girls. They have to begin to learn or they will not know anything. If they learn, after a while you will not need an agent, or any one to tell the Great Father what you wish; you can tell him yourselves. Two years ago the man who sat by the Great Father, and who sent everything to all the Indians, was an Indian himself. Some of these boys, if they go to school and learn, may some day stand by the Great Father. I think you are tired, and Doctor Irwin wants to give you some beef, and I will talk but a few words more. I want you to think about these things.

There are some white people who have farms on the reservation. Most of these men came here when they thought the lands belonged to the Great Father. These people will have to go away; they cannot go away now, but next year they will go away. While they stay here, they have the things they planted, and their fences. They worked for them, and they are theirs. It will not be long until the Great Father will pay them for these things, and they will go somewhere else; but while they are here the Indians must not disturb their fields or fences.

WASH-A-KIE, (and many Indians.) That is good talk. Sometimes an old woman pulls down a pole from a fence, and we cannot help it.

Mr. BRUNOT. You will show that you think it is good talk by doing what you can to protect them. Doctor Irwin wants me to talk about another thing. In this treaty it talks about building houses; I want to read it.

WASH-A-KIE. The old treaty is not good now.

Mr. BRUNOT. It is all good still. It says the Great Father must build a house for the agent, miller, blacksmith, and other employés.

WASH-A-KIE. I heard that long ago, but never saw them until this summer. There is no gunsmith here.

Mr. BRUNOT. It shows the President is doing all he promised. But it does not say anything about building houses for Indians; I am sorry for that.

WASH-A-KIE. For years I have asked to have houses built for the Indians.

Mr. BRUNOT. Doctor Irwin is very anxious to build houses for you, but he has no money to build them with. This old treaty is good, and stands just as it was before, except in regard to the piece we cut off from the reservation. In all time to come we want both the whites and the

Indians to do what is in the treaty. That is all I will say now. To-morrow afternoon, if you are at home in your village, I would like to see you all, men, women, and children, and may be I will talk a little to you then.

WASH-A-KIE. That is good.

MR. BRUNOT. If any of you wish to talk to me, I will listen.

WASH-A-KIE. It is very little we Indians know to talk about.
The council then adjourned.

THOMAS K. CREE,
Secretary.

ARTICLES OF CONVENTION WITH THE SHOSHONE INDIANS.

Articles of a convention made and concluded at the Shoshone and Bannock Indian agency, in Wyoming Territory, this twenty-sixth day of September, in the year of our Lord eighteen hundred and seventy-two, by and between Felix R. Brunot, commissioner on the part of the United States, and the chiefs, head-men, and men of the eastern band of Shoshone Indians, constituting a majority of all adult male Indians of said band or tribe of Indians, and duly authorized to act in the premises, witnesseth:

That whereas by article 11 of a treaty with the Shoshone (eastern band) and Bannock tribes of Indians, made the 3d day of July, 1868, at Fort Bridger, Utah Territory, a reservation was set apart for the use and occupancy of said tribes of Indians, in the following words: "The United States further agrees that the following district of country, to wit, commencing at the mouth of Owl Creek and running due south to the crest of the divide between the Sweetwater and the Popo-Agie Rivers; thence along the crest of said divide and the summit of Wind River Mountains to the longitude of north fork of Wind River; thence due north to the mouth of said north fork, and up its channel to a point twenty miles above its mouth; thence in a straight line to headwaters of Owl Creek, and along middle of channel of Owl Creek to place of beginning, shall be, and the same is, set apart for the absolute and undisturbed use and occupation of the Shoshone Indians herein named."

And whereas, previous to and since the date of said treaty, mines have been discovered, and citizens of the United States have made improvements within the limits of said reservation, and it is deemed advisable for the settlement of all difficulty between the parties, arising in consequence of said occupancy, to change the southern limit of said reservation—

1. The Shoshone band or tribe of Indians (eastern band) hereby cede to the United States of America that portion of their reservation in Wyoming Territory which is situated south of a line beginning at a point on the eastern boundary of the Shoshone and Bannock reservation, due east of the mouth of the Little Popo-Agie, at its junction with the Popo-Agie, and running from said point west to the mouth of the Little Popo-Agie to the north fork and up the north fork to the mouth of the cañon; thence west to the western boundary of the reservation.

2. The United States agree to pay to the Shoshone (eastern) band or tribe the sum of \$25,000, said sum to be expended under the direction of the President, for the benefit and use of said Indians, in the following manner, viz: On or before the 10th day of August of each year, for the term of five years after the ratification of this agreement, \$5,000

shall be expended in the purchase of stock-cattle, and said cattle delivered to the Shoshones on their reservation.

The salary of \$500 per annum shall be paid by the United States, for the term of five years, to Wash-a-kie, chief of the Shoshones.

3. Within the term of six months, and as soon as practicable after ratification of this agreement, the United States shall cause the southern line of the Shoshone reservation, as herein designated, to be surveyed and marked at suitable points on the ground, and until said line has been so surveyed and marked, the United States binds itself not to permit the intrusion of any white persons upon any of the agricultural or other lands within the limit of the district proposed to be ceded.

4. This convention or agreement is made subject to the approval of the President, and the ratification or rejection of Congress of the United States.

FELIX R. BRUNOT,
Commissioner.

Witnesses:

Lieutenant J. B. GUTHRIE,
Thirteenth United States Infantry.

THOMAS K. CREE, *Secretary.*

Wash-a-kie,	his x mark.
Nor-kok,	his x mark.
Wanny-pitz, (Fox,)	his x mark.
Bazeel,	his x mark.
Wear-an-go,	his x mark.
Toop-se-po-wots, (Dirty-back,)	his x mark.
Do-se-pan-a-do-po,	his x mark.
To-ash-na,	his x mark.
Te-ar-ax-a, (Sweating-horse,)	his x mark.
Te-ne-an-do-ka, (Horse's-grandfather,)	his x mark.
Beaver Charley,	his x mark.
E-o-ta,	his x mark.
Ti-and-a-bo-a, (Hole-in-the-ground-half-covered,)	his x mark.
Co-at-sat-sa,	his x mark.
Co-na-gat,	his x mark.
To-wo-ya-ge, (Rabbit-crying,)	his x mark.
To-whait, (Grab-you-and-throw-you-down,)	his x mark.
Ha-ba,	his x mark.
Te-ne-gat-ze, (Bone-pounder,)	his x mark.
Wisha,	his x mark.
Ona-do-shic, (Top-knot-rooster,)	his x mark.
To-nam-be, (Blackfoot,)	his x mark.
Wo-wim-bootz, (Wagon,)	his x mark.
O-a-ta,	his x mark.
Ni-o-con-to-co,	his x mark.
To-gun-ta,	his x mark.
Sic-can-a-wit-se, (Holding-down-with-medicine-stick,)	his x mark.
A-te-wan, (Holds-his-bow-in-his-hand,)	his x mark.
No-kie, (Pack-on-his-back,)	his x mark.
Tar-ash,	his x mark.
Sa-re-ca, (Lots-of-dogs,)	his x mark.
Ah-wan, (Hollow-horn,)	his x mark.
Ka-te-wino-ga, (Deaf,)	his x mark.
To-na-nook, (Boring-a-hole,)	his x mark.

To-wai,	his x mark.
Hog-joe, (A bird,)	his x mark.
To-e-na-wa-ka,	his x mark.
Tar-ge,	his x mark.
Ko-na-ya, (Wash-a-kie's son,)	his x mark.
P'e-a-in-ca, (Big-red,)	his x mark.
Pan-te-mu-co,	his x mark.
To-an-e-bush,	his x mark.
P'oo-ap, (Bob,)	his x mark.
Sho-sho-nee, (Snake,)	his x mark.
Ho-vez, (Lay down,)	his x mark.
Po-ne-wa-na, (Stand-and-look,)	his x mark.
Hi-bun-do-sa, (Crow-eye,)	his x mark.
Henry,	his x mark.
John,	his x mark.
Moon-in-ha-ve, (Lying-over-his-horse,)	his x mark.
Ta-pa, (Throw-a-rock,)	his x mark.
K-at-tue, (In-the-middle-of-lodge,)	his x mark.
We-don-ga, (Greasy-crow,)	his x mark.
An-gua-at-sa,	his x mark.
Pau-guin-so-ma, (Fish-bone,)	his x mark.
Ne-ne-man-be,	his x mark.
John Sinclair,	his x mark.
Pan-gin-no-na, (Humpty-fish,)	his x mark.
Ila-na-ur,	his x mark.
Na-se-wick,	his x mark.
Pe-a-tu-ga,	his x mark.
We-te-se-gat-se,	his x mark.
Paw-ho-te-nat-se,	his x mark.
Paw-in-gap,	his x mark.
E-shi-u-no,	his x mark.
Min-dat-se,	his x mark.
To-shi-a,	his x mark.
To-yo-gat-sa,	his x mark.
Pe-a-ro-na,	his x mark.
We-don-ba,	his x mark.
Gua-se-te,	his x mark.
Wo-wan-a-ge,	his x mark.
Bow-an,	his x mark.
O-am-bis-se,	his x mark.
Pa-ga-nit-se,	his x mark.
Ko-ro-ko, (Neck-tie,)	his x mark.
A-go-nar-a-kok, (Cut-tongue,)	his x mark.
A-ree,	his x mark.
Kan-a-ra,	his x mark.
We-a-wickle, (Put-his-finger-in-a-crack,)	his x mark.
Ko-gush, (Little-pig,)	his x mark.
Ta-kit,	his x mark.
Wo-to-pa,	his x mark.
Ha-we-joe,	his x mark.
Yo-wa-se-go,	his x mark.
A-do-na,	his x mark.
Wood-se-wo-sa,	his x mark.
Mo-rum-ya,	his x mark.
Aoa-de-wo-un,	his x mark.
A-do-run,	his x mark.

To-no-was-he,	his x mark.
Tash-he,	his x mark.
Pa-hon-te,	his x mark.
Ta-we,	his x mark.
Wat-se-ke,	his x mark.
Ka-de-nin-ge,	his x mark.
Po-qai-e-wit-ta,	his x mark.
Wir-se-a,	his x mark.
Ko-ra-wit-se, (Buck-antelope,)	his x mark.
Ta-wa-shap,	his x mark.
Nag-a-roma, (Robe-over-his-head.)	his x mark.
So-na-zigua, (Touch-the-grass,)	his x mark.
We-mo-rats,	his x mark.
Co-a-tzu,	his x mark.
Pe-e-gonatz,	his x mark.
Pe-ma,	his x mark.
To-cutsy, (Ram,)	his x mark.
We-am, (Drag-it,)	his x mark.
Mi-be-sip,	his x mark.
Pe-ri-gob-us,	his x mark.
Ho-a-gua, (Been-out-scouting-and-coming-back,)	his x mark.
Ta-gua-sua, (Black-shirt,)	his x mark.
Pe-z-rata,	his x mark.
B-sha-bitza, (Red-paint,)	his x mark.
So-ha-wanot, (Butt-of-a-cotton-wood-tree,)	his x mark.
John,	his x mark.
To-taw, (Black-teeth,)	his x mark.
War-as-huga,	his x mark.
Sho-a-paw-bo, (Emigrant-road,)	his x mark.

Attest :

NORKOK, *United States Interpreter.*

his x mark.

M. MCADAMS, *Interpreter.*WILLIAM REES, *Interpreter.*

Witnesses :

THOMAS K. CREE, *Secretary.*JAMES IRWIN, *Agent.*J. B. GUTHRIE, *Lieutenant Thirteenth United States Infantry.*JAMES K. MOORE, *Indian Trader.*

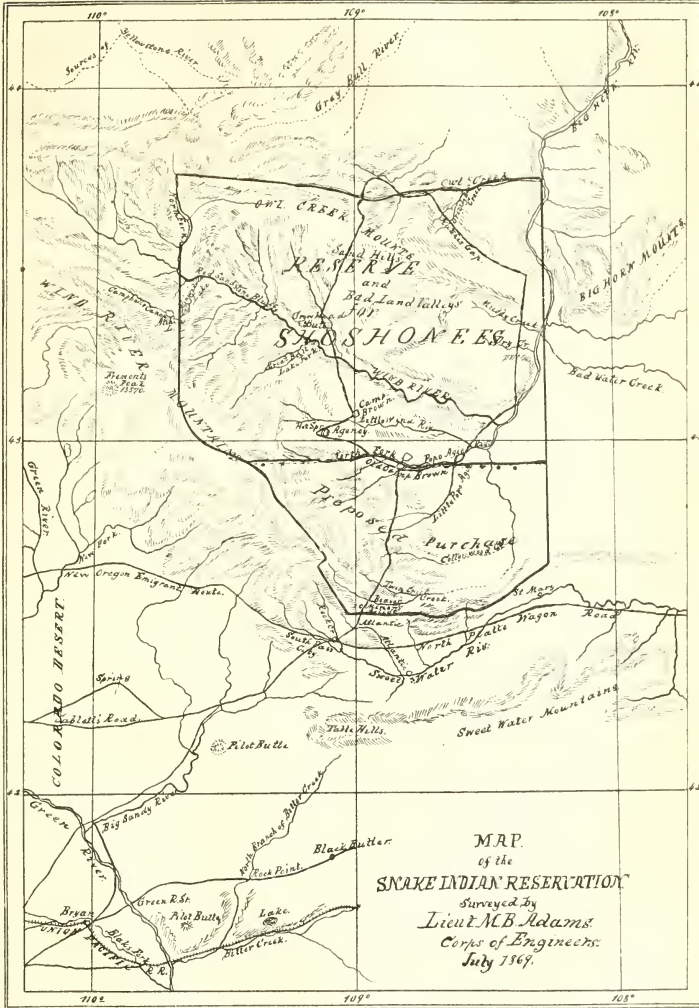
DARIUS WILLIAMS.

FRANK TRUMBULL.

JAMES IRVING PATTON.

VISIT TO SHOSHONE INDIAN AGENCY, WIND RIVER.

Left Denver Tuesday, September 10; arrived at South Pass Thursday, September 12. Found the citizens of South Pass much excited over a reported raid of some three hundred Cheyenne and Arapaho warriors. They were, at the time of our arrival, said to be engaged with the forces at Camp Stambaugh, under Lieutenant Robinson, and that he had sent into the post for re-enforcements; that all the available men at the post and a howitzer had been sent him.



MAP.
of the
SNAKE INDIAN RESERVATION
Surveyed by
Lieut M.B. Adams.
Corps of Engineers.
July 1869.

Scale: 0 to 60 Statute Miles.

Mr. Smith, of South Pass, who had just come in from a scout, with a party of citizens on the Powder River country road, reported that his party had met four Indians, and had driven them into the cavalry, but all had escaped. Some citizens reported having seen, with the Indians, the horses of two missing white men, both of whom they said were surely killed.

Friday morning, September 13, left at 8 o'clock for Wind River agency, fifty miles distant. Stopped at Camp Stambaugh, six miles from South Pass, to call upon General Brisbin, in command of the post. While at Camp Stambaugh, we learned that seven cavalymen, when scouting near the post on the day before, encountered Indians (as they supposed) in a valley, four miles distant, and opened fire upon them, which was vigorously returned. After an engagement of two hours, the enemy "changed their base" to an opposite hill-top, and displayed themselves, eleven in number. A soldier was dispatched to Stambaugh for re-enforcements, but, fortunately, before the re-enforcements and the cannon arrived, it was discovered that the supposed Indians were a party of eleven citizens, in search of the two missing men, who had also taken the soldiers for Indians. This event gave rise to the alarm at South Pass City, and to the extravagant statement which greeted us there. A detachment of fifty cavalymen had been sent on a scout after the murderers of Heenan, but had returned unsuccessful. The only Indians they had seen were the four (the same reported by Mr. Smith) who had been surrounded by the company, but succeeded in escaping through their lines unhurt. They passed within thirty to fifty yards of the soldiers, and, to use the expression of one of the officers, "More than a peck of bullets" had been fired at them.

In regard to the parties making these raids, General Brisbin states that there are marks of many boots, as well as moccasins; showing that among the raiders were white men and Mexicans. He says that he is convinced that all these raids on the Shoshones and whites are made from a camp of "*dog soldiers*," composed of Arapahoes and a few Cheyennes and whites and Mexicans, who have a village separate from the other Indians of these tribes, and who are not subject to the control of their chiefs.

A large number of Mexicans who came into the country as teamsters had joined these Indians; and some white men, well known in the country, were known to be with them. At Miners' Delight found the "two missing citizens," who had returned with their horses, having seen no Indians. Called upon the family of Heenan, the man who had been killed.

From all the information we could gather concerning the raid we came to the conclusion that there were not more than a dozen Indians, if any, and that they were renegades, whose object was horse-stealing. Nine horses were said to have been stolen, and one man was killed, probably to get possession of his team. The raiding party escaped safely, spending some forty-eight hours in the region of Wind River Valley, and no further effort was made to discover who they were or where they went.

Arrived at the agency on Saturday evening. Found none of the Indians were in. Doctor Irwin had sent word for them to come. Waited for them some ten days, which time was spent in examining into the affairs of the agency, and visiting different parts of the reservation.

The Shoshone and Bannack Indian reservation, situated in Wyoming, embraces a considerable extent of country, but is very mountainous. Much of the land is high plains and rolling land, (called bad land,) that lies so high above the level of the few water-courses, that it will never

be fit for cultivation, and much of it is unfit for grazing purposes. There are several well-watered valleys sufficient to provide farms for the Indians when they wish them. Much of the land, more particularly to the east and north, is not occupied by the Indians even for hunting purposes, on account of its being open to the incursions of hostile Cheyennes and Arapahoes, except during the winter months, when the snow on the mountains, bounding it to the east, prevents their getting to it. At any other season of the year both whites and Indians consider any part of the reservation dangerous, and in moving about they always go armed, and usually only in parties large enough for protection.

For many years it has been the custom for hostile bands of Arapahoes, and white and Mexican allies, to come into the valleys of the reservation, and many of the Indians (and whites) have been killed, and many horses carried away. By the provisions of the treaty the Indians are guaranteed protection; this has never been afforded them, and, for their own protection, each spring the Shoshones have moved down into Utah and over the mountains into the valley of Green River. At these points they come into contact with many of the worst class of white men, by whom they are supplied with whisky, and the result of each trip is demoralizing.

The reservation, although called that of the Shoshone and Bannock Indians, is only intended for the Shoshones. They occupy it to the number of about one thousand. The annuity goods for the Bannocks, who are assigned to Fort Hall (Idaho) reservation, are sent here for distribution. Until the present season no effort has been made to induce the Shoshones to farm or settle down to the pursuits of civilization. The danger of remaining on the reservation, the necessity of obtaining part of their subsistence, and their incursions south, with other causes, have effectually prevented anything being accomplished. Means have been provided assuring their subsistence at least during the winter, and some three hundred acres have been fenced and broken, with the intention of inducing as many Indians as are willing to begin farming. The urgent need is houses for such as are willing to abandon their wandering life, and the Indians have always been under the impression that by the former treaty (Bridger) they were to have houses built for them, and they say the former agents promised to build them for them.

The agency buildings are badly located, being several miles from any wood for fuel, or timber for building purposes, and as the Indians possess no means of carrying wood except on their ponies, this is a serious objection. The buildings, seven in number, (as provided by the treaty,) and in addition a block-house, school-house, warehouse, and mill, are comfortable, and are pleasantly located. The farm has produced a good crop of wheat, and oats, and potatoes, and other vegetables. The employes consist of the agent, physician, teacher, farmer, carpenter, blacksmith, engineer, miller, two interpreters, and three laborers. These employes are paid by the year, although for about six months in the year all the Indians are away. The physician employed is the regular army surgeon at Camp Brown. Two interpreters are employed at \$500 per year each, representing different tribes, (Shoshone and Bannack,) yet both tribes speak the Shoshone dialect.

The flour-mill, saw-mill, and shingle-machine have just been finished, and are ready for operation.

The school, owing to various causes, has so far been a failure, and none of the Indians have received any benefit from it.

In the issue of provisions (which we saw) Doctor Irwin's system was the best we have seen anywhere. An accurate census of each *tepe* (one

hundred and eighteen in number) was taken, and a record kept in the books of the office. Each *tepe* was numbered, and a metal check, with a corresponding number, was given its inmates. This check was presented each issue-day, and its number called for the issue of rations corresponding in amount with the number occupying the *tepe*. The census taken showed the number of men and boys over six years, 330; women and girls over six years, 336; children under six, 130; total 896.

The amount of issue for ten days was 6,516 pounds of flour, and about an equal amount of beef. The issue of the beef was not so systematic. The beeves were killed and then given to the Indians to divide as they saw proper.

After the council with the Indians Mr. Brunot had a conversation with Wash-a-kie, the chief.

CONVERSATION WITH WASH-A-KIE.

MR. BRUNOT. Did you like the agent when he first came here?

WASH-A-KIE. I liked him; he gave blankets to all.

MR. BRUNOT. Did any one tell you the agent was not good?

WASH-A-KIE. Many whites told me he was bad; once in a while one would tell me he was good. All the Indians liked him; he does not tell lies; he is slow about things, and I like him for that. Some whites tried to drive him away; they sent letters to Washington saying he was not good. They lied about it.

MR. BRUNOT. Men told me Wash-a-kie did not like the agent.

WASH-A-KIE. They lied; I never said so.

MR. BRUNOT. I think the agent is a good man.

WASH-A-KIE. He has a good heart.

MR. BRUNOT. He has a straight tongue. When you want anything go to the agent and he will tell you the truth. I hope you will help the agent to do what he wants; it is for your good; you must not mind the lies you hear outside. The agent wants you to send your children here to school; it is not to do the agent good, but the children good. The President and all the friends of the Indians want that. There are many men who do not want the Indians' land or goods; they want to do the Indians good. Many bad white men do not like the Indians; these people say they are only fit to be killed. Now, the President is one of the friends of the Indians; the Indians ought to try and help their friends. When we try and help the Indians, you ought to help us by trying to do well. When you do not listen to your friends then you help the men who are working against you. When the President has sent an agent whom he thinks a good man, you must always listen to him. You told me you had three Bannocks here; do you want the other Bannocks to come and stay on the reservation?

WASH-A-KIE. No; I do not want them here. Some of them are mean, and I do not want them here.

MR. BRUNOT. Have any of the Shoshones been in Utah, below Salt Lake, this spring or summer?

WASH-A-KIE. A few of the Shoshones were in Cash Valley this summer.

MR. BRUNOT. Do any of them go down to the Ute reservation?

WASH-A-KIE. No; they do not any of them go there.

MR. BRUNOT. After this talk is over are you going to stay here this fall?

MR. MCADAMS. They will do whatever is asked of them; if they are

provided for they will stay here, or if they are told to they will go off and hunt.

WASH-A-KIE. We will go out this fall; we want to get some buffalo meat and robes, and then we will come back and stay all winter.

Mr. BRUNOT. Would Wash-a-kie and his people want to have fields and stay here next spring?

WASH-A-KIE. I don't know about that; I am going away for awhile this fall to hunt.

Mr. BRUNOT. Do you want your people to learn to farm?

WASH-A-KIE. I would like to have houses; some of the people might stay; if they have no houses they have to move around; we are afraid of the Sioux; they may come and kill some of my boys.

Wash-a-kie said that a party of eight of his men took the trail of the party who killed Heenan and followed it to the Sweetwater, being gone three days. He said, I think Heenan was killed by Indians, and that there were fifty or sixty Indians in the party. I do not know whether it was done by Arrapaho, Cheyenne, or Sioux. That Friday, chief of the Arrapahoes, pretends to be very friendly with the whites; he goes to Fort Fetterman and is the friend of the whites until he gets enough of powder and lead to do a year, and then he goes and gives it to the hostile Indians, and they kill the Shoshones and the whites with it. He lives in the Powder River country, and there is where these Indians who raid on this region come from. Medicine-man stays with Friday all the time. Mr. McAdams found a hair lariat near where Heenan was killed that was like the Arrapahoes make. Heenan was not scalped, perhaps because his hair was cut short. The reason the Arrapahoes come in every year is, may be, to avenge the death of Black Bear, who was killed with his son and mother-in-law, by the whites, near the village of Atlanta.

Having visited several sections of the reservation before arranging for the ceding of a portion of it, Mr. Brunot was satisfied that a sufficient quantity of good farming land was still left to provide each of the Indians with a good farm.

In view of the proposed action of Congress looking to the purchase of a portion of the Shoshone reservation, and the probable removal of settlers from the remaining portion of it, Commissioner Brunot met the settlers, and they made the following statements in regard to their claims:

STATEMENTS OF SETTLERS ON SHOSHONE RESERVATION.

The following are those having claims on the reservation:

Thomas Cosgrove, John L. Parker, Darius Williams, William Evans, William Boyd, James Rogers, Tilford Kutch, and U. P. Davidson. (The last two claimants had been previously ordered off the reservation.)

WILLIAM EVANS. I have a claim on the reservation. I came May 18, 1868. I did not build a cabin on my claim until the next season. I helped to build a cabin on the reservation, but not on my own claim. Kutch, Davidson, Parker, and myself came on at the same time; and for protection we built one cabin, and all lived in it. We were the first men who came into the valley to live. Have made improvements from time to time ever since. I have fifty acres under fence, thirty-six to forty acres broken. I have a house—no barn, only temporary poles, which are covered every winter with straw. I have been afraid to make improvements since it was made a reservation. It would be hard to say what my improvements are worth. They would have cost considerable

money at the time I built, as labor was high and scarce, as well as material. It was made a reservation the same summer we came in. We heard it in August, but were not certain about it. The treaty was not ratified until January or February following. I had only a little garden. It would cost for breaking land now about six dollars per acre. I cannot say how much it would cost to get out poles and make a fence. At the time it was done, it would have cost much more than it would now. I think the fencing would cost now five hundred dollars. Have paid as high as eight dollars per acre for breaking sod. At other times had it done for six dollars.

JOHN L. PARKER. I came into the valley May 16, 1868, at the same time Mr. Evans did. I put up improvements the same season. Did it in the fall. I built a cabin and lived in it. It had a cellar. I had no land inclosed. I built a house and dug a well. I was not able to plow my land, or haul poles, for want of a team, so I went with Mr. Evans. I was going to break some land last fall, but Dr. Irwin advised me not to.

DR. IRWIN. When I came here I found Mr. Parker with a good house and well. I found him ready to break some land. I told him I would take possession of his land, and inclose it in the agency farm; but it would not interfere with his claim. He would stand the same as other settlers.

MR. MCADAMS. I have no claim. I live in Mr. Cosgrove's house.

THOMAS COSGROVE. I came here in August, 1869. I bought my place from Mr. Rodwell, who came in the summer or fall of 1868. Have made some improvements since. Have broken twenty-five acres of land. Have forty acres under fence. Have a fence made of pine poles. It is not as good as the doctor's fence. I have about a thousand poles or more, and probably two thousand posts. There are three posts to a panel. I have a sod (adobe) house, about eighteen by twenty feet, with poles and dirt roof. I was living in a log-house in 1869. Indians came in and killed my partner and run off our stock. I built a sod-house then for better protection.

DARIUS WILLIAMS. I have been coming and going on the reservation since the fall of 1868. I bought my place from Mr. Sprague, who came in June, 1868. Bought it in May, 1869. I have a stone-house, twelve by sixteen feet. Have about twenty-five acres broken. I have had pretty near all my land inclosed at one time—almost seventy acres. The Indians burned up almost one hundred rods of fence, and I had to cut it down. I have almost thirty acres inclosed now. It is a spiked fence, like the doctor's fence. I threw out part of my land that was broken, because I could not get posts to fence it after the Indians burned my fence. I am sure the Indians burned it. They were camped on my ground. Kutch told the Indians where his fence ended, and that they could burn the rest if they wished. Wash-a-kie ordered them to quit burning the fence, but they continued to do so. I notified Mr. Stevenson, as Dr. Irwin was absent. The Indians were told it was their ground and their fence, and they had a right to do what they pleased with it. They were told to burn it. I never blamed the Indians for it as much as I blamed Kutch and Davidson, who told them to burn it.

WILLIAM BOYD. I came here in September, 1870. I bought the place. It was improved almost the same time as Mr. Evans's. It was improved by Mr. Doty. He built the house. Mr. Marshall bought from Mr. Doty, and I bought from Mr. Marshall. I have a quit-claim deed. There was a stone-house, 20 by 17, 8-foot wall, with a cellar and a log building, 16 by 15, and 20 acres of land under fence. I have put up one log-house

since, and have 60 acres under fence now. There were but 20 acres when I bought it. I have 36 acres under cultivation. Have a good well walled up.

MR. BRUNOT. I do not know what course will be taken in regard to settlers. If I were settled on the reservation I would not make any more improvements until some decision was come to about it.

WILLIAM BOYD. I thought I had a right to hold the land when I bought it, because I had a Shoshone wife; but I have learned since that I have no more right to hold it than any other citizen. I will be satisfied if I can be paid what I expended; or if I cannot, I want to know it, and get out, if I have to go. I bought the place because it was improved, and I thought I had a right to hold it.

MR. BRUNOT. I think the question ought to be settled promptly, and I do not know how the Government could settle it, except by requiring the settlers to leave. I would be sorry to do anything that would prevent the settlers from getting pay for all their improvements. I think you ought to be paid for them. It is my duty, as an Indian commissioner, to look into this affair; but I have no authority to act.

WILLIAM BOYD. We would be better satisfied if we knew whether we were to get anything or not.

THOMAS COSGROVE. I did not know it was going to be an Indian reservation when I came here; and I purchased my place from Mr. Rodwell. It was said that a reservation had been laid out for these Indians, but that they would not live here.

MR. BRUNOT. I think you ought to have a reasonable compensation for your improvements. Those who came here in good faith ought to be paid.

WILLIAM BOYD. I thought as my wife was a Shoshone I had a right to live on the reservation; but I found I had not. But I do not want the Government to support my wife, and if I am not entitled to anything I want to know it.

DOCTOR IRWIN. General Augur, at the time of the treaty, said to half-breeds and men who were married to Indian women, "You ought to move on to the reservation, and show these Indians how to farm."

MR. MCADAMS. I heard General Augur tell that to Jack Robinson at Bridger, and there were plenty others who had Indian families heard it.

WILLIAM BOYD. I came in on that account.

MR. BRUNOT. Kutch and Davidson's claims are beside that of Mr. Williams. What are they worth?

DARIUS WILLIAMS. Kutch has about 30 acres, and Davidson not so much.

DOCTOR IRWIN. How many days' work would it take to make the ditch to Kutch's place?

WILLIAM EVANS. All that were here at that time helped to make that ditch. It was a ditch that belonged to all of us, and irrigated all our gardens. Ten to twelve of us worked, off and on, for two weeks, making it, probably, fifty or sixty days' work all told on the dam and ditch. With a plow and oxen it would not take long to do it; but it was made with the pick and shovel.

JNO. L. PARKER. We worked off and on at it. Eight or ten men worked about five days each. Did not work very hard at it.

THOMAS COSGROVE. I did not work at it.

WILLIAM EVANS. It would carry about 1,000 inches of water if it run very full. It will not carry that much now. It was 2 feet on the bot-

tom and 3 feet on the top, and about $1\frac{1}{2}$ to 2 feet deep. It ought to carry about 1,000 inches. It is about a half mile long.

MR. BRUNOT. Could you make an estimate of the value of Kutch's place?

WILLIAM BOYD. His place and mine are of about the same value. My place cost me \$1,060, buying the improvements and counting what I put on since. They are both of about the same value.

MR. BRUNOT. Would you consider Kutch's place has as many improvements on it as William Boyd's?

DARIUS WILLIAMS. I would not think it was as well improved. The fence was put up last spring, and did not amount to much.

THOMAS COSGROVE. I think last spring, when he left, there was very little difference between them; if anything, Mr. Boyd's was the best. On Davidson's place the buildings are better; but there is not so much land broken. Davidson's stable is the largest building in the valley, outside the agency. It was built for a house, but never finished. I traded the house to him for a horse. It was much less than it was worth. I bought it from Mr. Rodwell; but it was badly located, and I sold it. I do not think he has as much land broken by 10 or 12 acres as Kutch has, or as much under fence.

MR. BRUNOT. Would you give \$800 for Davidson's improvements, if you thought the title was good? I mean for the improvements without the land.

THOMAS COSGROVE. I think it is worth \$800 to \$1,000 for the work that has been done. I would give \$800 for it.

MR. BRUNOT. All the settlers in the valley are here, except Mr. Rodgers; where is he?

DOCTOR IRWIN. Mr. Rodgers was out cutting hay and could not be gotten.

THOMAS COSGROVE. Last spring I bought a place because it was improved, and thought if it was right I could put in those improvements and be paid for them. I bought it from Mr. Espy. He came in the winter of 1869. I thought if I was removed I would get the value of the work done. I did not buy it to speculate.

MR. BRUNOT. How many men are living in Popo-Agie Valley?

C. C. WILLIAMS. Seven: John Carnes, Jacob Fry, John Barnum, Ernest Honicher, John Nott, Henry Lovell, C. C. Williams, and Mrs. S. L. Richardson.

MR. BRUNOT. How many on the Little Popo-Agie?

C. C. WILLIAMS. Four on the Little Popo-Agie, and one on the Red Canyon. John Murphy, Martin Honicher, Joseph Farris, Edward Young, and a German man with Young, on the Little Popo-Agie, and Mr. Barrett and Mr. Tweed in the Red Canyon.

MR. EVANS. I think that is all that are there.

Left Wind River Valley agency September 30, arriving at South Pass on the evening of October 1. Stopped in Miner's Delight, (Hamilton City.) Made further inquiry as to the circumstances of the killing of Heenan; also as to the report current in the valley that the Indians had shot Johnny Atkin's horse from under him, on Saturday. Learned that the horse was shot by two white men in day-light, for the purpose, as he (Atkins) thought, of robbery. The most trivial circumstances, and all the misdeeds of whites, are attributed to hostile Indians, although there are probably none within a hundred miles; and thus a feverish state of excitement is kept up.

In answer to the queries of persons in all of these towns, as to what was the prospect at the reservation, Mr. Brunot explained the provisions

of the articles of convention, dwelling more particularly on the part in which, while the settlers now in the valley are permitted to remain, the Government binds itself not to permit any more to go upon the reservation until after Congress has ratified the articles of convention.

In answer to the question whether the stock in this section could be driven on the reservation to winter, Mr. Brunot said that he did not wish in anything to interfere with the details of agency matters, or with anything that came under the supervision of Doctor Irwin as agent, and that while it was certain he (Doctor Irwin) would not permit large herds of stock to be driven in from other places to be wintered on the reservation, yet he (Mr. Brunot) thought it probable that if the milch-cows, oxen, and work-horses now in the neighborhood were driven in, and arrangements made with parties now there to winter it, that Doctor Irwin would not object. Mr. Brunot said he knew that Doctor Irwin would not let herders or other new men go upon the reservation, pending the action of Congress.

Arrived at South Pass on Tuesday evening. On Wednesday morning left for Corinne, arriving Thursday evening, October 3. Leaving the same evening, arrived at Pittsburgh October 7, 1872.

FELIX R. BRUNOT,
Commissioner.

THOMAS K. CREE, *Secretary.*







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